

Director
Intelligence Community Staff
Washington, D.C. 20505

ICS-0801-83

5 APR 1983

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence

STAT FROM:

SUBJECT: Personnel Security Policy for SCI Access

1. Action Requested: That you provide guidance on resolving a difference of opinion in the Community on the number of years that should be covered by investigations required by DCI personnel security policy governing access to SCI.

2. Background: The only uniform personnel security standards applicable throughout the Government are those promulgated in DCID 1/14, which specifies investigative and adjudicative requirements governing access to SCI. Since its original issuance in the mid-1960's, DCID 1/14, with full Community concurrence, has required investigations to cover the last 15 years of candidates' lives, or to their 18th birthday, whichever is less, but in any event not less than the most recent two years.

3. In 1980, the Security Committee (SECOM) completed a study of 5,204 DCID 1/14 investigations adjudicated for SCI access by 10 Community agencies. The study evaluated the productivity of various investigative sources and periods of investigative coverage. It concluded that a 15-year period of coverage would capture all adverse data determined by adjudicators to warrant denial of SCI access, but that a 10-year period would risk losing 9% of significant adverse data which was the basis for 3% of the access denials. Police checks in the 10- to 15-year period were shown to be useful sources.

4. This study was the basis for a thorough review of DCID 1/14. Recommendations for its revision were approved by a majority (10 to 3) of SECOM members in December 1981, and forwarded to the Director, IC Staff, for guidance. The dissenting position was prepared by the OSD member of SECOM. He argued for ranking SCI into first class (and doing a full 15-year investigation) and second class (doing a reduced scope investigation). General Stilwell asked that the proposed revision be pended until Defense's senior-level panel concluded its review of DoD personnel security. The review recommended substantial upgrading of DoD personnel security practices -- e.g.,

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raising investigative criteria for Top Secret clearances to DCID 1/14 levels and considering use of the polygraph to screen persons for SCI access. Concurrently, the Defense Investigative Service received a substantial increase in resources to improve the quality of investigations and reduce its backlog.

5. With the new Defense findings, SECOM resumed work on DCID 1/14 revision. The OSD member tabled a recommendation that the scope of all investigations for SCI access be limited to 10 years (he provided the attached copy of his memo on that to General Stilwell. (Tab A)). That did not gain majority support. The revision effort then focused on use of the polygraph. The OSD member agreed to one mention of the polygraph in paragraph 11.m of the attached draft (Tab B) completed at the 23 February 1983 meeting of SECOM. The revision makes minor changes to investigative standards, includes the single reference to the polygraph, adds language to strengthen the Government's position in denying accesses for cause, and updates definitions and references. A summary of the changes is at Tab C. All changes except the issue of 10 versus 15-year scope were agreed to unanimously. The committee voted 7 to 6 in favor of retaining the 15-year scope. All votes to reduce the scope were from DoD agencies. The OSD dissent on the scope issue is attached (Tab D).

6. Staff Position: The OSD dissent focuses on allocation of resources. OSD proposes to raise investigative standards for Top Secret, non-SCI clearances to DCID 1/14 levels, add a subject interview to every investigation, and implement a periodic reinvestigation program for persons with SCI access. The first item, while commendable from the standpoint of overall security, is unrelated to SCI access. Routine subject interviews for all candidates for SCI access exceed the unanimously supported criteria in the draft revision of DCID 1/14. Periodic reinvestigations for persons with SCI access is required by the present (1976) version of DCID 1/14. Defense stopped doing them in 1981 when the Defense Investigative Service got seriously behind in its caseload. Implementation of a periodic reinvestigation program is merely resumption of what they agreed was needed in 1976 and still agree is needed now.

7. At the 23 February SECOM meeting, the OSD member stated that Defense needed the "savings" from reduction of investigative scope to free resources to raise Top Secret clearance standards. Possible savings should be considered in the light of statements by OSD representatives that relatively few cases require investigation beyond 10 years because of the age distribution among candidates for SCI access. The attached OSD dissent says "savings" will be applied to periodic reinvestigations and administration of subject interviews. A risk involved in this approach is that the actuality of a present cut in security standards may not be "balanced off" if the promised increases do not materialize due to budget cuts or other reasons.

8. All non-Defense SECOM members [redacted] support continuation of 15-year scope investigations. Energy wants it because of concerns about the sensitivity of nuclear weapons data. FBI wants it because they feel it has proved its worth in the past. CIA Office of General Counsel wants it as a good means of maintaining a distinction between SCI access criteria and Top Secret clearance standards in litigation on access denials.

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9. The availability of investigative resources is a valid concern for Defense. The Defense Investigative Service took a Congressionally mandated budget cut this fiscal year. The difficulty of rebuilding the Defense investigative program to a high level of quality in all areas is apparent. A basic issue seems to be whether Community personnel security SCI access standards should be reduced to satisfy Defense plans for allocation of its security resources. Another is whether DCI standards should be pegged to the current Defense view of Top Secret standards.

10. Options include:

a. Adopt the majority position in favor of maintaining 15-year scope. Defense could adapt to this by utilizing a period of coverage for Top Secret clearance investigations of something less than the period required by DCID 1/14.

b. Adopt the OSD minority position (reducing scope to 10 years). The 10-year minimum investigative period predictably would become a maximum for resource-strapped agencies.

c. Discuss the issue at the NFIC to determine Defense's degree of flexibility on this matter as a basis for subsequent decision.

11. Recommendation: That you schedule this issue for NFIC discussion and push there for maintaining the 15-year scope of investigation.

Attachments



STAT

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CONCUR:

Deputy Director of Central Intelligence

Date

APPROVED:

Director of Central Intelligence

Date

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